

Hoff, David

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Sent: Monday, August 05, 2013 9:13 AM
To: McKim, Krista; Haveman, Melanie; Moody, Jonathan
Cc: environmental@badriver-nsn.gov
Subject: issues related to Gtac's access road, Bulk sampling and stormwater discharges to wetlands etc

After our conversation on Thursday I put together a few points concerning the proposed work on the access road discussed in Gtac's Stormwater Permit application and Gtac's Bulk Sampling plan.

Relevant Files:

Stormwater Permit Application available at:

<http://dnr.wi.gov/topic/mines/documents/gogebic/GTACStormwaterApp20130709.pdf>

Bulk Sampling Plan available at:

<http://dnr.wi.gov/topic/Mines/documents/gogebic/GTACBulkSamplePlan20130617.pdf>

Updated info for **Bulk Sampling Plan** available at:

<http://dnr.wi.gov/topic/Mines/documents/gogebic/GTACBulkSamplePlanCommentResponse20130728.pdf>

Points:

-The stormwater general permit application does not identify discharge points for water that accumulates on the road.

-Access Road #3, identified as the road to be worked on in the stormwater general permit application, is identified as a "primary access road" for the Bulk Sampling activities in recent updated info for the Bulk Sampling Plan.

-The stormwater general permit application proposes culverts, sediment sumps and ditches in wetlands and in what we believe is a surface water of the U.S. (stream87). Specifically:

1. Installation of 4 culverts, at least 1 (at 16+60) of which are in wetlands.
2. Installation of 1 culvert at station 42+80 in stream87, a stream we believe is a water of the U.S.
3. Ditching along the edge of the road. Exact location is unclear but is associated with culverts, some of which are in streams and wetlands.
4. Construction of sediment sumps in wetlands (.pdf page 13)
5. Creation of a berm along the edge of the road (pdf page 13 and 15) which would increase the road footprint through the wetlands.

-Other than the NWI, the stormwater general permit application does not identify wetlands or surface waters in or near the project area. The NWI overlooks many site wetlands that we have documented during our field visits.

-The road proposed for work in the stormwater general permit application discharges stormwater directly to wetlands, to a tributary of a trout stream and to a tributary to a non-degradation (ERW) water (Javorsky Creek). Therefore, the conditions for the applicability of the state general stormwater permit would appear to exclude this project and require an individual permit. Nothing in the stormwater permit application indicates that discharges to wetlands or tributaries to trout streams or ERWs would receive the site specific treatment necessary to prevent adverse impacts to wetland or surface water quality.

-Given that Access Road #3 is identified in the Bulk sampling Plan application of June 17 and in the Bulk Sampling Plan supplemental information of July 28 as an access road and a primary access road for bulk sampling it is apparent that work on Access Road #3 is part of the Bulk sampling activities and should be permitted as such.

-Despite the recent inclusion of an alternative access road to bulk sampling sites #1, #2 and #5, Access Road #3 is still identified in Gtac's recent materials as an access road for bulk sampling.

-The site specific conditions (non-degradation waters, wetlands, a trout stream) and the use of the access road for mining activity (bulk sampling) would indicate that site specific conditions and controls are needed and therefor an individual stormwater permit would be appropriate.